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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

App. No. : 09/991,287
Applicant : Richard W. Strobel
Filed : November 14, 2001
TC/A.U. : 1775
Examiner : John J. Zimmerman

Confirmation No. 3691

Docket No. : 01-651
Customer No. : 34704

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

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RESPONSE TO ADVISORY ACTION

Sir:

This is in response to comments in the Advisory Action mailed September 5, 2003 in parent application serial no. 09/991,287.

REMARKS

In paragraph 5 of the advisory action, the Examiner avers that the Strobel declaration is not clear on some issues. For example, the Examiner states that no factual evidence was presented in the declaration on the issue of hardnesses. This is not true. Applicant has repeatedly told the Examiner that solders such as Lupfer's have hardnesses an order of magnitude less than Applicant's coatings. Applicant has even identified for the Examiner a web site containing publicly available information on solders, such as Lupfer's, which provides the very evidence the Examiner wants. This information has been presented because the Examiner has taken the very incorrect position that hardnesses are inherent in coatings. They are not. As for why Applicant's coatings have superior hardness properties, Applicant need not make such an explanation. It is well settled law that it is not a requirement of patentability that an inventor correctly set forth, or even know, why or how an invention works. See *Newman v. Quigg*, 877